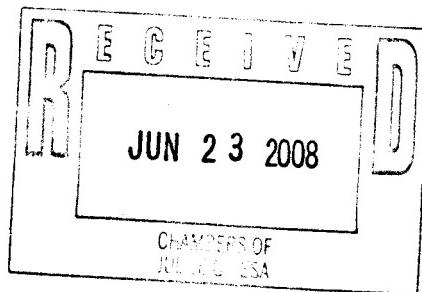


## POWLEY|GIBSON

VIA FACSIMILE (212) 805-7908

June 23, 2008



Hon. Thomas P. Griesa  
 United States District Judge  
 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl Street, Room 1630  
 New York, New York 10007

Re: *Anna Sui Corp. v. Forever 21, Inc. et al.*  
 07 Civ. 3235 (S.D.N.Y.)  
Our Ref. No.: 329.1

Your Honor:

Powley & Gibson, p.c.  
 304 Hudson Street  
 2nd Floor  
 New York, NY 10013  
 212.226.5054  
 F 212.226.5085  
 powleygibson.com

We represent Defendants Forever 21, Inc., Forever 21 Retail, Inc., Forever 21 Logistics, LLC, Do Won Chang and Jin Sook Chang (collectively "Defendants") in the above-referenced matter. While we strongly disagree with the Plaintiff's papers, we write concerning timing of the Motion for Contempt and Other Relief Pursuant to Fed. R. Civ. P. 37(b) improperly filed on June 23, 2008 by Plaintiff Anna Sui Corp. ("Plaintiff").

Plaintiff's motion is governed by L. Civ. R. 37.2 and Your Honor's Individual Practices, which prohibit the filing of a motion under Rules 26 through 37 inclusive of the Federal Rules of Civil Procedure unless counsel for the moving party first requests a conference with the Court. Plaintiff made no such request to the Court for a pre-motion conference prior to filing the present motion, directly contravening the Court's established requirements.<sup>1</sup>

Under L. Civ. Rule 6.1(a), Defendants' opposition to the present motion is due June 27, 2008. Because of this short timing and Plaintiff's attempt to circumvent the Court's rules, Defendants respectfully request that Your Honor

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<sup>1</sup> As Your Honor will recall, Plaintiff employed the same tactic, and displayed the same disregard for the Court's rules, in filing its December 10, 2007 Motion for Expedited Discovery without seeking a pre-motion conference.

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Hon. Thomas P. Griesa  
United States District Judge  
June 23, 2008  
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stay the deadline for Defendants' opposition papers until a pre-motion conference can be held.

Respectfully submitted,



David J. Lorenz

cc: Marya Lenn Yee, Esq. (Via Facsimile Only)

SO ORDERED 6/24/08  
  
SIDNEY H. STEIN  
U.S.D.J.  
Part F